



U.S. Department of Commerce
National Oceanic and Atmospheric Administration



U.S. Environmental Protection Agency

Mr. Dick Pederson, Director
Oregon Department of Environmental Quality
811 SW 6th Avenue
Portland, OR 97204-1390

Mr. Jim Rue, Director
Oregon Department of Land Conservation and Development
635 Capitol Street NE, Suite 150
Salem, Oregon 97301-2540

Dear Mr. Pederson and Mr. Rue,

This letter is to inform you that the Environmental Protection Agency (EPA) and the National Oceanic and Atmospheric Administration (NOAA) (collectively, the federal agencies) intend to take final action on our proposal that Oregon has not submitted an approvable Coastal Nonpoint Pollution Control Program (Coastal Nonpoint Program) by no later than January 30, 2015.

As you are aware, on December 20, 2013, NOAA and EPA announced in the Federal Register the federal agencies' proposed determination that Oregon had failed to submit an approvable Coastal Nonpoint Program as required by Section 6217(a) of the Coastal Zone Act Reauthorization Amendments of 1990 (CZARA), 16 U.S.C. 1455b, for a 90-day public comment period. By the end of the comment period on March 20, 2014, the federal agencies had received 85 comments with over 800 supporting documents. As a result, the agencies need additional time beyond the anticipated May 15, 2014 decision date that was announced in the Federal Register to carefully consider all information before making a final determination and prepare the administrative record.

NOAA and EPA will base the upcoming decision on the materials provided during the recent public comment period. If the federal agencies make a final determination that Oregon has failed to submit an approvable Coastal Nonpoint Program, the agencies will begin withholding grant funds for fiscal year 2015. The federal agencies recognize that public comments and Oregon's March 20, 2014, updated program submittal may yet demonstrate to the agencies that Oregon has submitted an approvable program.

Regardless of the federal agencies' determination this coming January, NOAA and EPA will remain committed to working closely with Oregon to help it achieve an approvable program.

Sincerely,

Kate Barba, Acting Director
Office of Ocean and Coastal Resource
Management
National Oceanic and Atmospheric
Administration

Daniel D. Opalski, Director
Office of Water and Watersheds
Environmental Protection Agency,
Region 10

cc: Ms. Karen Tarnow, ODEQ
Mr. Eugene Foster, Watershed Management Manager, ODEQ
Mr. Greg Aldrich, Acting Administrator, ODEQ
Ms. Patty Snow, Coastal Management Program Manager, DLCD



U.S. Department of Commerce
National Oceanic and Atmospheric Administration



U.S. Environmental Protection Agency

Mr. Dick Pederson, Director
Oregon Department of Environmental Quality
811 SW 6th Avenue
Portland, OR 97204-1390

Mr. Jim Rue, Director
Oregon Department of Land Conservation and Development
635 Capitol Street NE, Suite 150
Salem, Oregon 97301-2540

Dear Mr. Pederson and Mr. Rue,

This letter is to inform you that the Environmental Protection Agency (EPA) and the National Oceanic and Atmospheric Administration (NOAA) (collectively, the federal agencies) intend to make a determination on whether Oregon has failed to take final action on our proposal that Oregon has not submitted an approvable Coastal Nonpoint Pollution Control Program (Coastal Nonpoint Program) by no later than January 30, 2015.

Comment [CD1]: This is Stephen's suggested language

Comment [CD2]: Since this sentence is a mouthful, I think it reads a little better if we move the "by no later than January 30, 2015" to after the word "intend"

As you are aware, on December 20, 2013, NOAA and EPA announced in the Federal Register the federal agencies' proposed determination that Oregon had failed to submit an approvable Coastal Nonpoint Program as required by Section 6217(a) of the Coastal Zone Act Reauthorization Amendments of 1990 (CZARA), 16 U.S.C. 1455b, for a 90-day public comment period. By the end of the comment period on March 20, 2014, the federal agencies had received 85 comments with over 800 supporting documents. As a result, the agencies need additional time beyond the anticipated May 15, 2014, decision date that was announced in the Federal Register, to carefully consider all information before making a final determination and prepare the administrative record.

NOAA and EPA will base the upcoming decision on the materials provided during the recent public comment period. If the federal agencies make a final determination that Oregon has failed to submit an approvable Coastal Nonpoint Program, the agencies will begin withholding grant funds for fiscal year 2015. The federal agencies recognize that public comments and Oregon's March 20, 2014, updated program submittal may yet demonstrate to the agencies that Oregon has not failed to submit an approvable program.

Comment [CD3]: Allison commented that this change was okay

Regardless of the federal agencies' determination this coming January, NOAA and EPA will remain committed to working closely with Oregon to help it achieve an approvable program.

Sincerely,

Kate Barba, Acting Director
Office of Ocean and Coastal Resource
Management
National Oceanic and Atmospheric
Administration

Daniel D. Opalski, Director
Office of Water and Watersheds
Environmental Protection Agency,
Region 10

cc: Ms. Karen Tarnow, ODEQ
Mr. Eugene Foster, Watershed Management Manager, ODEQ
Mr. Greg Aldrich, Acting Administrator, ODEQ
Ms. Patty Snow, Coastal Management Program Manager, DLCD